

**Express Mail Label Number:** EL528222111US

**Inventors:** Isa Odidi et.al.

**Title:** Controlled Release Formulations Using Intelligent Polymers

**Documents Filed:** Transmittal Letter; Copy of PCT/CA98/00274;  
Written Opinion; Response to Written Opinion; International  
Preliminary Examination Report; Small Entity Declaration (unsigned);  
Declaration, Power of Attorney (unsigned); Preliminary Amendment;  
Check for \$1,288.00; return postcard.

RECEIVED

NOV 01 1999

JAZ/dc

10914-11

October 21, 1999

09/403437

520 Rec'd PCT/PTO 21 OCT 1999

Please place the official stamp of the Patent and Trademark Office on this card and return it to us for our files to constitute an acknowledgement by the PTO of receipt on the date stamped of the above identified paper.

02 Rec'd PCT/PTO 1 OCT 1999

Docket No. 10914-11

PATENT

CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number: EL528222045US

Date of Deposit: December 8, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Attn: Deposit Account/Refund Department, Assistant Commissioner for Patents, Washington, D. C. 20231

*Catharine L. Vigne*

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Isa Odidi, et al. : Paper No.:  
Serial No. : 09/403,437 : Group Art Unit:  
Based On: PCT/CA98/00274 : Examiner:  
Filing Date: October 21, 1999 :

For: **Controlled Release Formulations Using Intelligent Polymers**

REQUEST FOR REFUND

Attn: Deposit Account/Refund Department  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

A filing fee and surcharge for furnishing the Declaration more than 30 months from the earliest claimed priority application, a total of \$1,288.00, was submitted in this application by certificate of express mail on October 21, 1999 and was received by the U.S. Patent and Trademark Office, as evidenced by the return postcard bearing the Serial No. 09/403,437 (copy enclosed). A Verified Statement Claiming Small Entity Status has now been filed in this application (copy enclosed). It is therefore requested that one half of the filing and surcharge fees, namely \$644.00, be refunded by crediting the undersigned's Deposit Account No. 04-1133.

Respectfully submitted,

*Jackie Ann Zurcher*

Jackie A. Zurcher  
Reg. No. 42,251  
Dinsmore & Shohl LLP  
1900 Chemed Center  
255 East Fifth Street  
Cincinnati, Ohio 45202  
(513) 977-8377

80 11 AM 10 DEC 1999  
RECEIPT ACCOUNTING  
DIVISION

FORM PTO-1390

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

10914-11

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)

09/403437

INTERNATIONAL APPLICATION NO.

PCT/CA98/00274

INTERNATIONAL FILING DATE

3 April, 1998

PRIORITY DATE CLAIMED

21 April, 1997

TITLE OF INVENTION

CONTROLLED RELEASE FORMULATIONS USING INTELLIGENT POLYMERS

APPLICANT(S) FOR DO/EO/US

Isa Odidi and Amina Odidi

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

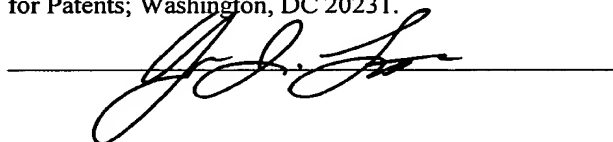
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information.: Copy of International Application, as published, International Search Report, Written Opinion, Response to Written Opinion, International Preliminary Examination Report, Small Entity Declaration (unsigned), and Declaration, Power of Attorney (unsigned).

**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing label #: EL52822211US

Date of Deposit: October 21, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Box PCT; Assistant Commissioner for Patents; Washington, DC 20231.



U.S. APPLIC. NO. (if known, see 37 CFR 1.50) <b>09/403437</b>		INTERNATIONAL APPLICATION NO. PCT/CA98/00274		ATTORNEY'S DOCKET NUMBER 10914-11	
				CALCULATIONS	PTO USE ONLY
17. The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> <input checked="" type="checkbox"/> [X] Search Report has been prepared by the EPO or JPO \$840.00  <input type="checkbox"/> [ ] International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00  <input type="checkbox"/> [ ] No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00  <input type="checkbox"/> [ ] Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00  <input type="checkbox"/> [ ] International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				\$ 840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	29 -20 =	9	x \$18.00	\$ 162.00	
Independent Claims	5 -3 =	2	x \$78.00	\$ 156.00	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,288.00	
Reduction by ½ for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$1,288.00	
Processing fee of \$130.00 for furnishing the English translation later than the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$1,288.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$1,288.00	
				Amount to be: refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> [X] A check in the amount of \$1,288.00 to cover the above fees is enclosed. b. <input type="checkbox"/> [ ] Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1133.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:  DINSMORE & SHOHL 1900 Chemed Center 255 East Fifth Street Cincinnati, Ohio 45202 (513) 977-8200			SIGNATURE <u>Jackie Ann Zurcher</u> Jackie A. Zurcher, Esq. NAME  42,251 REGISTRATION NUMBER  October 21, 1999 DATE		